

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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JAMES ADAMS, #108 239

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Plaintiff,

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v.

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2:06-CV-988-ID

ASST. WARDEN CARTER DAVENPORT,  
*et al.*,

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\*

Defendants.

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**ORDER**

Plaintiff filed this 42 U.S.C. § 1983 action on November 1, 2006. At the time he filed this complaint, Plaintiff was incarcerated at the Easterling Correctional Facility located in Clio, Alabama. During the pendency of this action Plaintiff notified the court when he was transferred to the Decatur Community Based Work Release Facility in Decatur, Alabama, and when he was again subsequently transferred to the Mobile Work Release in Mobile, Alabama. The court recently ascertained that Plaintiff is no longer at the last address he had provided to the court. All parties have an affirmative duty to inform this court of any change of address during the pendency of their actions. Plaintiff received notice of this requirement in the court's November 2, 2006. (*See Doc. No. 4, ¶5(h)*).

Upon review of the pleadings filed in the instant matter, it is clear that the court file does not contain an alternate address for Plaintiff and that he has not provided this court with a current address. This case cannot properly proceed in this court if Plaintiff's whereabouts

remain unknown. Accordingly, the court concludes that Plaintiff shall be granted an opportunity to show cause why his complaint should not be dismissed for his failures to comply with the orders of the court and to prosecute this action.

Accordingly, it is ORDERED that:

1. On or before **July 7, 2008** Plaintiff SHOW CAUSE why his complaint should not be dismissed for his failures to prosecute this action and comply with the order of the court that he keep the court apprised of his current address. Plaintiff is cautioned that his failure to comply with this order will result in a Recommendation that his complaint be dismissed without prejudice; and

2. The Clerk of Court SEND copy of this order to Plaintiff at his last known address.

Done, this 26<sup>th</sup> day of June 2008.

/s/ Terry F. Moorer  
TERRY F. MOORER  
UNITED STATES MAGISTRATE JUDGE